

Matthew D. Powers (SBN 104795)  
matthew.powers@tensegritylawgroup.com  
William Nelson (SBN 196091)  
william.nelson@tensegritylawgroup.com  
Robert Gerrity (SBN 268084)  
robert.gerrity@tensegritylawgroup.com  
Natasha Saputo (SBN 291151)  
natasha.saputo@tensegritylawgroup.com  
Samantha Jameson (SBN 296411)  
samantha.jameson@tensegritylawgroup.com  
Jennifer Robinson (SBN 270954)  
jen.robinson@tensegritylawgroup.com  
TENSEGRITY LAW GROUP, LLP  
555 Twin Dolphin Drive, Suite 650  
Redwood Shores, CA 94065  
Telephone: (650) 802-6000  
Fax: (650) 802-6001

*Attorneys for Plaintiff  
Arista Networks, Inc.*

John M. Desmarais (*admitted pro hac vice*)  
jdesmarais@desmaraisllp.com  
DESMARAIS LLP  
230 Park Avenue  
New York, NY 10169  
Telephone: (212) 351-3400  
Facsimile: (212) 351-3401

Sarah E. Piepmeier (SBN 227094)  
sarah.piepmeier@kirkland.com  
KIRKLAND & ELLIS LLP  
555 California Street, 27th Floor  
San Francisco, CA 94104  
Telephone: (415) 439-1400  
Facsimile: (415) 439-1500

*Attorneys for Defendant  
Cisco Systems, Inc.*

[Additional Counsel Listed in Signature Block]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

ARISTA NETWORKS, INC.,  
  
Plaintiff,  
  
v.  
  
CISCO SYSTEMS, INC.,  
  
Defendant.

Case No. 5:16-cv-00923-BLF (SVK)

**JOINT STIPULATION AND  
[PROPOSED] ORDER TO DISMISS  
WITH PREJUDICE**

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, Plaintiff Arista Networks, Inc., (“Arista”) and Defendant Cisco Systems, Inc., (“Cisco”) hereby stipulate and agree that:

1. All claims by Arista against Cisco in the above-captioned action shall be dismissed with prejudice;

2. Each party will bear its own costs and attorneys’ fees with respect to the above-captioned action; and

3. As requested by the Parties and agreed to by the Court on August 6, 2018, the Court shall retain jurisdiction over the above-captioned action, so that, upon joint request of the parties, Magistrate Judge Van Keulen can assist the parties in resolving disputed terms in the expected Definitive Agreement, consistent with the terms and conditions set forth in the Parties’ binding Term Sheet.

Respectfully submitted,

Dated: August 24, 2018

By: /s/ Matthew D. Powers /s/

Matthew D. Powers (SBN 104795)  
matthew.powers@tensegritylawgroup.com  
William Nelson (SBN 196091)  
william.nelson@tensegritylawgroup.com  
Robert Gerrity (SBN 268084)  
robert.gerrity@tensegritylawgroup.com  
Natasha Saputo (SBN 291151)  
natasha.saputo@tensegritylawgroup.com  
Samantha Jameson (SBN 296411)  
samantha.jameson@tensegritylawgroup.com  
Jennifer Robinson (SBN 270954)  
jen.robinson@tensegritylawgroup.com  
TENSEGRITY LAW GROUP, LLP  
555 Twin Dolphin Drive, Suite 650  
Redwood Shores, CA 94065  
Telephone: (650) 802-6000  
Fax: (650) 802-6001

*Attorneys for Plaintiff Arista Networks, Inc.*

Dated: August 24, 2018

By: /s/ John M. Desmarais /s/

John M. Desmarais (*admitted pro hac vice*)

jdesmarais@desmaraisllp.com  
 Paul A. Bondor (*admitted pro hac vice*)  
 pbondor@desmaraisllp.com  
 Alan S. Kellman (*admitted pro hac vice*)  
 akellman@desmaraisllp.com  
 Tamir Packin (SBN 317249)  
 tpackin@desmaraisllp.com  
 Andrew G. Heinz (*admitted pro hac vice*)  
 aheinz@desmaraisllp.com  
 Jeffrey S. Seddon, II (SBN 297502)  
 jseddon@desmaraisllp.com  
 Brian Leary (*admitted pro hac vice*)  
 bleary@desmaraisllp.com  
 William D. Findlay (*admitted pro hac vice*)  
 wfindlay@desmaraisllp.com  
 Tom BenGera (*admitted pro hac vice*)  
 tbengera@desmaraisllp.com  
 Michael R. Rhodes (*admitted pro hac vice*)  
 mrhodes@desmaraisllp.com  
 Carson Olsheski (*admitted pro hac vice*)  
 colsheski@desmaraisllp.com  
 Kyle Petrie (*admitted pro hac vice*)  
 kpetrie@desmaraisllp.com  
 DESMARAIS LLP  
 230 Park Avenue  
 New York, NY 10169  
 Telephone: (212) 351-3400  
 Facsimile: (212) 351-3401

Christopher G. Renner (*admitted pro hac vice*)  
 crenner@bsfllp.com  
 Richard A. Feinstein (*admitted pro hac vice*)  
 rfeinstein@bsfllp.com  
 BOIES SCHILLER FLEXNER LLP  
 1401 New York Avenue, NW  
 Washington, DC 20005  
 Telephone: (202) 237-2727  
 Facsimile: (202) 237-6131

Sarah E. Piepmeier (SBN 227094)  
 sarah.piepmeier@kirkland.com  
 KIRKLAND & ELLIS LLP  
 555 California Street, 27th Floor  
 San Francisco, CA 94104  
 Telephone: (415) 439-1400  
 Facsimile: (415) 439-1500

*Attorneys for Defendant Cisco Systems, Inc.*

**ATTORNEY ATTESTATION**

I hereby attest, pursuant to Civil Local Rule 5-1(i)(3), that the concurrence in the filing of this document has been obtained from the signatory indicated by the “conformed” signature (/s/) of Matthew D. Powers within this e-filed document.

/s/ John M. Desmarais /s/

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: \_\_\_\_\_, 2018

---

Hon. Beth Labson Freeman  
United States District Judge